

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CRIMINAL NO. 1:01CR88

UNITED STATES OF AMERICA)

VS.)

THOMAS W. HICKS)
_____)

ORDER

THIS MATTER is before the Court on the Defendant's motion for the return of property, specifically firearms, seized during the investigation of his case.

On April 15, 2003, the Defendant entered into a plea agreement with the Government which contained a provision in which the Defendant agreed to forfeit to the Government ownership of any and all items seized during the investigation of his case. **Plea Agreement, filed April 15, 2003, ¶18 at 6.** The Agreement also provided that "[f]orfeited firearms will be destroyed." *Id.* As a result, no relief is warranted.

IT IS, THEREFORE, ORDERED that the Defendant's motion is hereby **DENIED**.

Signed: January 13, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

